

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSEPH CARVER,)	No. C04-5570RBL/KLS
)	
Plaintiff,)	
v.)	ORDER
)	
JOSEPH LEHMAN, <i>et al.</i> ,)	
)	
Defendants.)	

On February 14, 2005, plaintiff Joseph Carver filed an appeal of Magistrate Judge Karen L. Strombom's "Order Denying Motion and Warning Plaintiff," in which he included a request that Judge Strombom recuse herself from these proceedings. Dkt. # 26. Pursuant to Local General Rule 8(c), Judge Strombom reviewed plaintiff's motion, declined to recuse herself voluntarily, and referred the matter to the undersigned. Dkt. # 31. Plaintiff's motion for recusal is therefore ripe for review by this Court.

Having reviewed the record in the above-captioned matter, the Court finds that Judge Strombom's response to plaintiff's inadequate request to take non-stenographic depositions was appropriate. The fact that Judge Strombom has, from time to time, ruled against plaintiff and other pro se litigants from the Special Commitment Center does not suggest partiality or bias. As is the case here, Judge Strombom's decisions are based on the merits of the underlying requests for relief. When a properly filed and supported motion for non-stenographic

ORDER

1 depositions was brought before Judge Strombom, she granted the relief requested. See Scott v.
2 Seling, C03-5398RBL/KLS at Dkt. # 66. Where the motion is incomplete and meritless,
3 however, a denial is not only proper, but predictable. Judge Strombom's decision to warn
4 plaintiff that meritless filings made for improper purposes will result in an award of sanctions is
5 in keeping with the general practice of this district.

6 The Court finds that Judge Strombom's impartiality in this matter cannot
7 reasonably be questioned. There being no evidence of bias or prejudice, plaintiff's request to
8 remove Judge Strombom from this matter is DENIED.

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11 DATED this 16th day of May, 2005.

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13 Robert S. Lasnik
14 Chief Judge, United States District Court
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